

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING
LITIGATION**

**Case No. 2:23-md-3080 (BRM)(RLS)
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

THIS DOCUMENT RELATES TO: 2:25-CV-00206,
2:25-CV-00211,
2:25-CV-00221,
2:25-CV-00371,
2:25-CV-00428,
2:25-CV-00443,
2:25-CV-00457,
2:25-CV-00458,
2:25-CV-00460,
2:25-CV-00469,
2:25-CV-00472,
2:25-CV-00473,
2:25-CV-00524,
2:25-CV-00537,
2:25-CV-00546

(SELF-FUNDED PAYERS TRACK)

NOTICE OF MOTION FOR ENTRY OF ORDER TO SHOW CAUSE

TO: All Persons on ECF Service List

COUNSEL:

PLEASE TAKE NOTICE that Defendants Eli Lilly And Company; Novo Nordisk Inc.; Sanofi-Aventis U.S. LLC; CVS Pharmacy, Inc.; Caremark Rx, LLC; Caremark LLC; CaremarkPCS Health, LLC; Express Scripts, Inc.; Express Scripts

Administrators, LLC; Medco Health Solutions, Inc.; ESI Mail Pharmacy Services, Inc.; Express Scripts Pharmacy, Inc.; OptumRx, Inc (collectively “Defendants”), by and through their respective undersigned counsel, shall move before the Honorable Rukhsanah L. Singh, U.S.M.J., at a date and time to be determined by the Court, at the United States District Court for the District of New Jersey, 402 East State Street, Trenton, New Jersey, for an Order, pursuant to Case Management Order No. 14 ¶ 5(c), to Show Cause why Plaintiffs’ cases should not be dismissed.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

Dated: April 23, 2025

/s/ Brian W. Carroll

MCCARTER & ENGLISH, LLP

Brian W. Carroll

Four Gateway Center

100 Mulberry St.

Newark, NJ 07102

(973) 639-2020

bcarroll@mccarter.com

Respectfully submitted,

/s/ Liza M. Walsh

WALSH PIZZI O’REILLY FALANGA

LLP

Liza M. Walsh

Katelyn O’Reilly

Three Gateway Center

100 Mulberry St., 15th floor

Newark, NJ 07102

(973) 757-1100

lwalsh@walsh.law

koreilly@thewalshfirm.com

DAVIS POLK & WARDWELL LLP

James P. Rouhandeh (*pro hac vice*)
David B. Toscano (*pro hac vice*)
450 Lexington Ave.
New York, NY 10017
(212) 450-4000
rouhandeh@davispolk.com
david.toscano@davispolk.com

DAVIS POLK & WARDWELL LLP

Neal A. Potischman (*pro hac vice*)
Andrew Yaphe (*pro hac vice*)
1600 El Camino Real
Menlo Park, CA 94025
(650) 752-2000
neal.potischman@davispolk.com
andrew.yaphe@davispolk.com

*Attorneys for Defendant Novo Nordisk
Inc.*

JONES DAY

Michael R. Shumaker (*pro hac vice*)
Julie E. McEvoy (*pro hac vice*)
William D. Coglianese (*pro hac
vice*)
Melissa L. Patterson (*pro hac vice*)
51 Louisiana Ave. NW
Washington, DC 20001
(202) 879-3939
mrshumaker@jonesday.com
jmcevoy@jonesday.com
wcoglianese@jonesday.com
mpatterson@jonesday.com

*Attorneys for Defendant Sanofi-
Aventis U.S. LLC*

/s/ *Melissa A. Geist*

REED SMITH LLP

Melissa A. Geist

Julia A. López

506 Carnegie Center, Suite 300

Princeton, NJ 08540

(609) 514-5978

mgeist@reedsmith.com

jalopez@reedsmith.com

KIRKLAND & ELLIS LLP

James F. Hurst (*pro hac vice*)

Andrew A. Kassof (*pro hac vice*)

Robert B. Ellis (*pro hac vice*)

Diana M. Watral (*pro hac vice*)

Ryan Moorman (*pro hac vice*)

Jason A. Feld (*pro hac vice*)

333 West Wolf Point Plaza

Chicago, IL 60654

(312) 862-2000

james.hurst@kirkland.com

akassof@kirkland.com

rellis@kirkland.com

diana.watral@kirkland.com

ryan.moorman@kirkland.com

jason.feld@kirkland.com

*Attorneys for Defendant Eli Lilly and
Company*

/s/ Brian Boone

O'TOOLE SCRIVO, LLC

Thomas P. Scrivo
Young Yu
14 Village Park Road
Cedar Grove, NJ 07009
(973) 239-5700
tscrivo@oslaw.com
yyu@oslaw.com

ALSTON & BIRD LLP

Brian D. Boone
1120 S. Tyron St., Ste. 300
Charlotte, NC 28203
(704) 444-1000
brian.boone@alston.com

ALSTON & BIRD LLP

Elizabeth Broadway Brown
1201 W. Peachtree St. NW, Ste. 4900
Atlanta, GA 30309
(404) 881-7000
liz.brown@alston.com

ALSTON & BIRD LLP

Kelley Connolly Barnaby
950 F. Street, NW
Washington, D.C. 20004
(202) 239-3300
kelley.barnaby@alston.com

Attorneys for Defendants OptumRx, Inc.

/s/ Jason R. Scherr

MORGAN, LEWIS & BOCKIUS LLP

Jason R. Scherr
Patrick A. Harvey
Lindsey T. Levy
1111 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 739-3000
jr.scherr@morganlewis.com
patrick.harvey@morganlewis.com
lindsey.levy@morganlewis.com

*Attorneys for Defendants Express
Scripts, Inc.; Express Scripts
Administrators, LLC; ESI Mail
Pharmacy Service, Inc.; Express Scripts
Pharmacy, Inc.; and Medco Health
Solutions, Inc.*

/s/ Benjamin Hazelwood

MARINO, TORTORELLA & BOYLE, P.C.

Kevin H. Marino

John D. Tortorella

437 Southern Boulevard

Chatham, New Jersey 07928

(973) 824-9300

kmarino@khmarino.com

jtortorella@khmarino.com

WILLIAMS & CONNOLLY LLP

Enu Mainigi

Craig Singer

R. Kennon Poteat III

A. Joshua Podoll

Benjamin Hazelwood

Daniel Dockery

680 Maine Avenue, S.W.

Washington, D.C. 20024

(202) 434-5000

emainigi@wc.com

csinger@wc.com

kpoteat@wc.com

apodoll@wc.com

bhazelwood@wc.com

ddockery@wc.com

Attorneys for Defendants CVS

Pharmacy, Inc.; Caremark Rx, L.L.C.;

CaremarkPCS Health, L.L.C.;

Caremark, L.L.C.